



NEW YORK STATE  
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES  
OFFICE OF FIRE PREVENTION AND CONTROL



Kathy Hochul, Governor

Floyd A. Madison, State Fire Administrator

|                     | <b>Fire Safety Information for Outdoor Vendors</b>   |
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| <b>Introduction</b> | <p>If you are planning on cooking at the Empire State Plaza, the following rules and regulations pertain to you. Failure to comply with these requirements may prevent you from receiving the necessary approvals to cook. Plan on being inspected upon arrival and continuous monitoring during each event. Please read this document and be prepared.</p>  |
| <b>FAQ's</b>        | <p>Q: <u>What size extinguisher do I need?</u></p> <p>A: You must have a 2A 10BC.</p> <p>Q: <u>How do I know if my extinguisher is a 2A 10BC?</u></p> <p>A: On the side of the extinguisher there is an information label that tells you the size. If it says for example: 10A 20BC you are good; if it says 1A 10BC you are not, in this case you would need 2 of these extinguishers to comply with the code.</p> <p>Q: <u>My extinguisher says 2A 10BC but OFPC says it's not good why?</u></p> <p>A: Extinguishers must be tested yearly, you need to show proof that the extinguisher was purchased or inspected within the past 12 months of the event.</p> <p>Q: <u>Can I share my extinguisher with the vendor next to me?</u></p> <p>A: NO Each vendor must supply their own extinguisher to cover their space.</p> <p>Q: <u>I am deep frying do I need a special extinguisher?</u></p> <p>A: YES you must have a Class K extinguisher which is designed to mitigate deep fat fires.</p> <p>Q: How do I know my extinguisher is a Class K?</p> <p>A: Look on the label for the extinguisher it will say Class K (K standing for Potassium which is the main element in that extinguisher that fights the fire)</p> <p>Q: <u>I have my Class K because I am deep frying do I still need the "red" one?</u></p> |



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|                                     | <p>A: YES if you are deep frying you need a 2A 10BC <b>AND</b> a Class K.</p> <p>Q: <u>I have an extinguisher that says “Kitchen Fire Extinguisher” why is this not good for deep frying?</u></p> <p>A: This is not a Class K extinguisher, this is a BC extinguisher.</p> <p>Q: <u>Why do I have to comply with all these regulations at the Empire State Plaza no one ever says anything to me at other venues?</u></p> <p>A: The NYS Fire Code is a <u>STATE LAW</u> we enforce it; we cannot answer for any other venues.</p>   |
| <p><b>Tag Inspection System</b></p> | <p>For larger events The Office of Fire Prevention and Control uses a tag system for any vendor using open flame or cooking on the Plaza. During load-in the OFPC member will review basic fire safety rules with the vendor. The vendor will be required to show the OFPC member all required fire extinguishers prior to being allowed on the Plaza. Once the vendor is in place and set up an OFPC member will inspect the vendor’s site, if the site passes inspection a tag will be issued. No flame producing devices are to be turned on or cooking to be done prior to the tag being issued. Periodically during the event OFPC member will make inspection rounds and initial the tag.</p>   |
| <p><b>Fire Extinguishers</b></p>    | <p><b><u>Minimum 2A 10BC</u></b> extinguisher for general fire protection <b><u>and a Class K</u></b> extinguisher is required for any <b><u>deep fat frying</u></b>. Extinguisher must have a current inspection.</p> <p><b>§F906 PORTABLE FIRE EXTINGUISHERS</b></p> <p><b>§F906.1 Where required.</b> Portable fire extinguishers shall be installed in the following locations:</p> <p>Within 30 feet (9144 mm) of commercial cooking equipment.</p> <p>In areas where flammable or combustible liquids are stored, used or dispensed.</p> <p><b>§F906.2 General requirements.</b> Fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.</p> <p><b>§F906.5 Conspicuous location.</b> Extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the code enforcement official determines that</p> |



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|                                  | <p>the hazard posed indicates the need for placement away from normal paths of travel.</p> <p><b>§F906.6 Unobstructed and unobscured.</b> Fire extinguishers shall not be obstructed or obscured from view. In rooms or areas in which visual obstruction cannot be completely avoided, means shall be provided to indicate the locations of extinguishers.</p> <p>4.3.2* Class K Fire Extinguishers for Cooking Oil Fires. Fire extinguishers provided for the protection of cooking appliances that use combustible cooking media (vegetable or animal oils and fats) shall be listed and labeled for Class K fires. Class K fire extinguishers manufactured after January 1, 2002, shall not be equipped with “extended wand-type” discharge devices.</p> <p><b><u>**Be aware of Extinguishers sold in stores labeled “Kitchen Fire Extinguisher” these are not Class K extinguishers, they are generally B, C extinguishers**</u></b></p>  |
| <p>Liquefied Petroleum Gases</p> | <p>Liquefied petroleum gases" - "LPG" and "LP-Gas" is any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them; propane, propylene, butanes (normal butane or iso-butane), and butylenes.</p> <p>Liquefied petroleum gases shall be odorized so that the presence of gas will be recognizable by a distinct odor.</p> <p>Containers shall be protected against physical damage, and located so as not to be a hazard to the premises served. Containers shall be secured on noncombustible supports to prevent falling or being upset and shall be protected against tampering by unauthorized persons. (Cylinder must be chained &amp; padlocked or similar methods to assure it will not fall or tip over).</p> <p>Shut-off valves shall be maintained in safe operating condition.</p> <p>Every container shall be provided with one or more approved safety relief devices designed to relieve excessive pressure to the outer air. These devices shall be arranged to afford free vent to the outer air, with the discharge at a distance not less than 10 feet in any direction from building openings.</p> <p>Where two or more containers are installed, connection shall be arranged so that containers can be replaced without shutting off the flow of gas to equipment.</p> <p>LP-Gas consuming appliances shall be in good operating condition. Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-Gas, and is in good condition, may be used with LP-Gas only after it is properly converted, adapted, and tested for performance with LP-Gas before the appliance is placed in use.</p> <p>Loose or piled combustible material, weeds and long dry grass shall not be permitted within 10 feet of any liquefied petroleum gas container.</p> <p>Appropriate fire extinguishing equipment shall be provided where LPG containers are stored, handled, or used. (Minimum 10 lb. Class “ABC” or “BC” extinguisher).</p> <p>Storage of LPG containers within buildings is prohibited.</p> |



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|   | <p>Vendors should bring only the amount of LPG that is needed for each event.</p> <p>No apparatus in which combustible or flammable fuels in portable containers are used in the preparation of foods, refreshments, or other materials shall be permitted in a lobby, exit way, corridor, foyer or auditorium of a place of assembly.</p>  |
| <p><b>Open Flame Cooking</b></p>  | <p><b>§F308.7 Open-flame cooking devices.</b> Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. One-and two-family dwellings.</li> <li>2. Where buildings, balconies and decks are protected by an automatic sprinkler system.</li> </ol> <p><b>§F308.7.1 Liquefied-petroleum-gas-fueled cooking devices.</b> LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds [nominal 1 pound (0.454 kg) LP-gas capacity] shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.</p> <p><b>Exception:</b> One-and two-family dwellings.</p>  |
| <p><b>Temporary and Permanent Tents, Canopies and Membrane Structures</b></p> | <p><b>§F2404.15 Heating and cooking equipment.</b> Heating and cooking equipment shall be in accordance with this section.</p> <p><b>§F2404.15.1 Installation.</b> Heating or cooking equipment, tanks, piping, hoses, fittings, valves, tubing and other related components shall be installed as specified in the <i>Mechanical Code of New York State</i> and the <i>Fuel Gas Code of New York State</i>, and shall be approved by the code enforcement official.</p> <p><b>§F2404.15.2 Venting.</b> Gas, liquid and solid fuel-burning equipment designed to be vented shall be vented to the outside air as specified in the <i>Fuel Gas Code of New York State</i> and the <i>Mechanical Code of New York State</i>. Such vents shall be equipped with approved spark arresters when required. Where vents or flues are used, all portions of the tent, canopy or membrane structure shall be not less than 12 inches (305 mm) from the flue or vent.</p> <p><b>§F2404.15.3 Location.</b> Cooking and heating equipment shall not be located within 10 feet</p> |



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(3048 mm) of exits or combustible materials.

**§F2404.15.4 Operations.** Operations such as warming of foods, cooking demonstrations and similar operations that use solid flammables, butane or other similar devices which do not pose an ignition hazard, shall be approved.

**§F2404.15.5 Cooking tents.** Tents where cooking is performed shall be separated from other tents, canopies or membrane structures by a minimum of 20 feet (6096 mm).

**§F2404.15.6 Outdoor cooking.** Outdoor cooking that produces sparks or grease-laden vapors shall not be performed within 20 feet (6096 mm) from a tent, canopy or membrane structure.

**§F2404.15.7 Electrical heating and cooking equipment.** Electrical cooking and heating equipment shall comply with Chapter 27 of the *Building Code of New York State*.

**§F2404.16 LP-gas.** The storage, handling and use of LP-gas and LP-gas equipment shall be in accordance with this section.

**§F2404.16.1 General.** LP-gas equipment such as tanks, piping, hoses, fittings, valves, tubing and other related components shall be approved and in accordance with Chapter F38 and with the *Fuel Gas Code of New York State*.

**§F2404.16.2 Location of containers.** LP-gas containers shall be located outside. Safety release valves shall be pointed away from the tent, canopy or membrane structure.

**§F2404.16.2.1 Containers 500 gallons or less.** Portable LP-gas containers with a capacity of 500 gallons (1893 L) or less shall have a minimum separation between the container and structure not less than 10 feet (3048 mm).

**§F2404.16.2.2 Containers more than 500 gallons.** Portable LP-gas containers with a capacity of more than 500 gallons (1893 L) shall have a minimum separation between the container and structures not less than 25 feet (7620 mm).

**§F2404.16.3 Protection and security.** Portable LP-gas containers, piping, valves and fittings which are located outside and are being used to fuel equipment inside a tent, canopy or membrane structure shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be located in an approved location. Portable LP-gas containers shall be securely fastened in place to prevent unauthorized movement.



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|  | <p><b>§F2404.17 Flammable and combustible liquids.</b> The storage of flammable and combustible liquids and the use of flammable-liquid-fueled equipment shall be in accordance with this section.</p> <p><b>§F2404.17.1 Use.</b> Flammable-liquid-fueled equipment shall not be used in tents, canopies or membrane structures.</p> <p><b>§F2404.17.2 Flammable and combustible liquid storage.</b> Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet (15 240 mm) from tents, canopies or membrane structures. Storage shall be in accordance with Chapter 34.</p> <p><b>§F2404.17.3 Refueling.</b> Refueling shall be performed in an approved location not less than 20 feet (6096 mm) from tents, canopies or membrane structures.</p> |
| <p><b>General<br/>Precautions Against<br/>Fire</b></p>         | <p><b>§F305.1 Clearance from ignition sources.</b> Clearance between ignition sources, such as light fixtures, heaters and flame-producing devices, and combustible materials shall be maintained in an approved manner.</p> <p><b>§F305.2 Hot ashes and spontaneous ignition sources.</b> Hot ashes, cinders, smoldering coals or greasy or oily materials subject to spontaneous ignition shall not be deposited in a combustible receptacle, within 10 feet (3048 mm) of other combustible material including combustible walls and partitions or within 2 feet (610 mm) of openings to buildings.</p>  |
| <p><b>Hydrants and Fire<br/>Department<br/>Connections</b></p> | <p><b>§F508.5.4 Obstruction.</b> Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.</p> <p><b>§F508.5.5 Clear space around hydrants.</b> A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.</p>  |